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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,566	11/09/2000	Qingping Jiang	MOI-17002	9704

207 7590 03/26/2002

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EXAMINER

MORRIS, PATRICIA L

ART UNIT PAPER NUMBER

1625

DATE MAILED: 03/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/626,566

Applicant(s)

Quingping Jiang et al.

Examiner

Alan L. Rotman

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1625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ONE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Preliminary Amendment Nov. 13, 2002

2a) ☐ This action is **FINAL**.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-42 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration

5) ☐ Claim(s) _____ is/are allowed.

6) ☐ Claim(s) _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☒ Claims 1-42 are subject to restriction and/or election requirement

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other:

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DETAILED ACTION

Restriction is required to one of the following inventions under 35 U.S.C.121.

1. Group 1: Claims 1-29 drawn to acridinium chemiluscent substrates classified in Class 546;Subclasses 18 and 102-07.

Group 11: Claims 30-32 drawn to enzymatic reactions classified in Class 435;Subclasses814-816.

Group 111: Claims 33-38 drawn to an apparatus for light detection maximizing distinction classified in Class 422;Subclass 82.09.

Group IV: Claims 39-42 drawn to Method for the detection and/or quantitation of a hydrolytic enzyme providing hydrolyzable cvhemiluminescent Lumi-M-P et seq. Class 435; several subclasses and Class 362; Subclass 34.

2. These inventions are distinct from one another as each Group has achieved a separate status in the art, have fields which are not coextensive and a capable of supporting separate patents.

3.Attorney, Mr.Arthur S.Morgenstern was called on February 28,2002 but indicated that his client requested a One Month Restriction Letter.

4.Applicants are advised that should they provisionally elect the invention identified as Group1, they are further required to elect a single disclosed species and they must submit a compound species claim commensurate therewith.Applicants are advised that the scope of

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Group 1 is sufficiently broad and burdensome to the U.S.P.T.O, that a further division of Group 1 may be necessary.

5.Applicants must comply as indicated above in a Shortened Statutory Period of One Month.Failure to do so will be construed as non-responsive.

Alan L. Rotman

**ALAN L. ROTMAN
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TECHNOLOGY CENTER 1600**

203-308-4698